FCO 2010 - √

Floyd County Board of Commissioners
Resolution Pertaining to Text Amendments to the Floyd County Zoning Ordinance 2006-6

Whereas, the Floyd County Board of Commissioners met on February 2, 2010 on this matter pursuant to IC 36-7-4-607;

Whereas, the Board received from the Floyd County Plan Commission a favorable recommendation of the proposed text amendments listed in Exhibit A (9-0 favorable).

Whereas, the Plan Commission held a public hearing on the matter and heard from both proponents and opponents of the text amendments to the zoning ordinance.

NOW, THEREFORE,

BE IT RESOLVED that Floyd County Zoning Ordinance is amended.

SO RESOLVED this 2ND day of February 2010.

BOARD OF COMMISSIONERS
COUNTY OF FLOYD

Mark Seabrook, President

Stephen A. Bush, Commissioner

Charles Freiberger, Commissioner

ATTEST:
Teresa Plaiss
Teresa Plaiss, County Auditor

Section 5.04 Accessory Use/Structure Standards

Current Language

This Accessory Use/Structures standards section applies to the following districts.

AR RR RS

C. Accessory structure(s) shall be clearly subordinate in area, bulk extent, and purpose to the primary structure excepting barns.

Section 7.07 Secondary Approval

F. The Secondary Review shall be submitted to the Plan Commission. The timing element for secondary review shall follow the state requirements as set forth in Indiana Code 36-7-4-1109 regarding expiration of approvals. The Secondary Review may be submitted in and approved in phases if such a process is approved in the Planned Unit Development Ordinance.

G. Secondary Review shall be determined expired based on the requirements set forth in Indiana Code 36-7-4-1109 regarding secondary approvals.

Section 7.12 Extension, Abandonment and Expiration

Any extension may not exceed 12 months for any matter set forth in this Article. Any extension granted shall follow and be subject to state requirements as described in Indiana Code 36-7-4-1109. The Plan Commission shall grant any extension based on documentation presented by the developer and must show good cause for the need of such extension.

Upon abandonment of a development authorized under this Article, the land will revert back to its original base zone classification. An abandonment shall be deemed to occur when no or minimal improvements have been made upon the expiration of approval requirements set forth in Indiana Code 36-7-4-1109 and no extension beyond the state requirements have been approved by the Plan Commission.

Section 8.04 Construction Techniques

Construction activities on slopes between 20-33 percent shall comply with the following:

Section11.01 – Drainage and Storm Water Controls

This section applies to all zoning districts within the jurisdiction of the Floyd County Plan Commission. This section applies to all development that occurs with the jurisdiction of the Floyd County Plan Commission that requires either a development plan review or a subdivision plat.

Section11.02 – Drainage Requirements

A. Natural drainage patterns and natural stream channels shall be maintained wherever

possible. Stream channels subject to the jurisdiction of IDNR shall not be altered without IDNR approval.

B. All development shall be required to submit a drainage report as defined in this ordinance. If the drainage report shows that the natural surface drainage patterns, channels, swales, existing watershed conditions and/or natural stream channels are insufficient to meet the minimum drainage standards of this ordinance, the applicant shall install a drainage system. If the review shows that the natural surface drainage is adequate to meet the standards of this ordinance, the applicant shall include on the development plans easements for such surface drainage. Easements for all surface drainage will be provided in accordance with the drainage report and all applicable County, State, and Federal requirements for storm water drainage.

C. The applicant shall design and construct a drainage system to handle surface water from the entire development and the drainage area of which it is a part. The applicant may be required to provide additional drainage system capacity if the drainage report determines the proposed development will negatively effect and/or contribute to the degeneration of the watershed drainage system. The system shall meet the minimum standards contained in this section.

1. Storm street inlets placed in a low point shall be sized to accept a 15 year storm volume.

2. Storm swale inlets shall be sized to accept a 15 year storm volume.

3. The storm detention design shall outlet storm water at a 10 year pre-developed rainfall event rate for a 15 year post-developed storm. The 100-year post-developed storm shall be limited to the 100 year pre-developed rate.

4. Storm pipes shall be reinforced concrete, Class III, with Type B wall thickness, double-wall high-density polyethylene pipe (HDPE), or corrugated steel pipe at gauges and dimensions approved by the county engineer. Concrete pipes shall be bedded in B borrow, crushed stone or gravel. HDPE pipes and corrugated steel pipes shall have a 12 inch gravel or crushed stone encasement. The minimum pipe size shall be 15-inch diameter. HDPE pipes shall be no larger than 48-inch diameter. All storm pipes within the paved street area shall be reinforced concrete as specified above. The minimum pipe flow velocity for all storm pipes shall be 2.5 feet per second. All pipes to be INDOT certified standard for all drainage pipes.

D. Drainage swales with longitudinal slopes flatter than 1% or greater than 8% shall have a 4-inch reinforced concrete swale or a fiber reinforced concrete swale with a minimum width of three feet. Swales between 1% and 8% may be either sod or concrete, as shown in Appendix B. In swales where the velocity of the runoff is greater than 6 fps, riprap may be used as approved by the County Engineer.

E. All roadside ditches shall have a minimum slope of .5%. The maximum side slope for concrete swales shall be 2:1 and the maximum for sod shall by 3:1. The minimum depth of roadside ditches shall be 18 inches below the edge of pavement.

F. All culverts installed under streets shall meet INDOT piping specifications/standards and be

approved by County Infrastructure Coordinator/County Engineer Office. The installation of culverts shall all extend at least the full roadway width, including the shoulders.

G. Exposed ends of storm water pipes shall have 6-inch thick reinforced concrete headwalls, flared metal pipe ends, a creek stone headwall or a headwall as detailed in the INDOT standard drawings as approved by the County Infrastructure Coordinator/County Engineer Office.

H. In developments using a sanitary sewer system, all streets shall be provided with a storm drainage system consisting of curbs, gutters, and storm sewers. In low-lying areas or areas with poor drainage or high water table, the County Infrastructure Coordinator/County Engineer may require a 6-inch perforated tile be placed on each side of the low lying streets. The County Infrastructure Coordinator/County Engineer shall determine proper construction methodology.

I. Inlets in streets shall be spaced a maximum of 500 feet apart, or a maximum of 500 feet from the high point in the street.

J. Downspouts and sump pump outlets shall be connected to an approved storm drainage system or shall discharge onto grass surface no closer to the road neither than the building setback line nor within 20 feet of rear yard drainage swales. When the rear yard drain swale is concrete, the downspouts and sump pump outlets may discharge to the swale.

K. The on-site drainage system shall be designed and sized so that when flowing full it will handle a minimum of a 15-year rainfall event. The drainage plan shall include an analysis of the ponding and results of a 100-year rainfall event and shall establish a flood protection grade for all structures and shall verify an outlet for the water from a 100-year storm with the storm pipe system completely plugged.

L. Detention ponds shall be designed using methods approved by the NRCS. The rational method is acceptable for pipe design only.

M. Wet detention ponds shall have a minimum six-foot wide safety ledge placed below water level at a maximum water depth of 30 inches. Wet detention ponds shall have at least 25% of the pond surface with a minimum water depth of 4 feet.

N. Pre-developed runoff rates shall be based upon the existing ground cover type of pasture, brush, woods, etc.

O. Any dry detention facility with a slope of less than 1.00% shall be provided with underdrains or concrete paved ditches

Section 11.03 Drainage Report

Any development requiring a drainage report under this ordinance shall submit a drainage report to the County Infrastructure Coordinator/County Engineer and/or designate for review and approval.

A. Drainage Report which shows existing drainage and proposed modifications on the site

1. Project name, developer, project engineer or surveyor,

their addresses and telephone numbers, legal description, date of plans and any revisions, scale of plan, and north point;

2. Area Vicinity map detailing: watershed project is to be developed in, project environs; current zoning; adjoining property owners; and existing street lines within one thousand (1,000) feet of the project boundaries;

3. Topography based on mean sea level elevation at a minimum two (2) foot interval for the project site and any adjoining areas whose topography may affect project drainage. if the drainage area is extensive, an additional map of sufficient clarity must be provided. In areas with greater than a 3% grade, ten foot contour intervals may be used;

4. The location of existing streams lakes, ponds, watercourses, and other flood water runoff channels (including their USGS map designations),, the extent of the floodplain at the established one hundred (100) year flood elevation, and the limits of the floodway, all properly identified;

5. The existing location of surface and subsurface drains, inlets, and outfalls, easements that are visible or of record, existing seeps, springs, and wells that are visible or of record;

6. Existing storm and sanitary sewers, inlets, or outfalls, existing septic tank systems, and treatment plant outlets and utilities;

7. Existing structures;

8. Identification of wetlands;

9. Boundary and acreage of project site indicated by a heavily solid line based on a traverse with angular and linear dimensions; and

10. Other significant conditions of the area proposed to be improved.

11. Proposed changes in streams, lakes, swamps, detention basins, watercourses and flood water runoff channels, floodplains, and the limits of the floodway, all properly identified;

12. Proposed location of surface and subsurface drains,

inlets, outfalls, and easements;

13. Proposed location and materials of storm and sanitary sewers, on-site sanitary effluent disposal systems, and location of affected utilities;

14. Structures to be removed or relocated on the project site;

15. The location and design of proposed streets, roads, sidewalks, culverts, bridges, parking lots, hard surfaced areas, including depressed pavements, and used to convey or temporarily store overflow from heavier rainstorms, and outlets for such overflow;

16. The cross section of existing streams and floodplains to be maintained or changed and new channels to be constructed, where changes are proposed or discharge into receiving streams is altered; and

1. The erosion and sediment control measures to be implemented including, but not limited to: design and installation details, location, vegetation and schedule.

2. a certification by the developer and engineer that the proposed subdivision shall not increase drainage onto adjoining landowners in an amount that is greater than that which existed pre-development. Post-development peak discharges shall be equal to or less than pre-development peak discharges for design storms having recurrence intervals of 2-, 10-, 50-, and 100-years. An emergency spillway shall be provided for flows in excess of the preceding.

3. The drainage facilities, including but not limited to, inlets, catch basins, street gutters, component swales, storm sewers and small channels, which collect storm water must accommodate peak runoff from at least a fifteen (15) year return period storm. The allowable spread of water on collector streets is limited to maintaining two (2) clear ten foot moving lanes of traffic. One (1) lane is to be maintained on local roads and subdivisions streets.

4. For rainfall heavier than a fifteen (15) year storm, these minimum requirements must be satisfied:

    a. Open channels carrying peak flows greater than thirty (30) cubic feet per second must be capable of accommodating peak runoff for a fifty (50) year return period storm within the drainage

easement;

b. New culverts must be capable of accommodating peak runoff from the greater of a fifty (50) year return period storm or the minimum design period required by INDOT when crossing under a road which is part of the Indiana Department of Transportation functional classification system and is classified as principal or minor arterial, or major or minor collector road; and

c. Drainage facilities must have adequate capacity to convey the storm water runoff from all upstream tributary areas through the development under consideration for a storm of fifteen (15) year design return period calculated on the basis of the upstream land in its present state of development.

Section 12.01 Vacate Section